

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE OPTICAL DISK DRIVE
ANTITRUST LITIGATION**

CASE NO. 3:10-md-2143 RS

**ORDER RE INDIRECT PURCHASERS'
MOTION FOR PRELIMINARY
APPROVAL OF SETTLEMENTS WITH
NEC AND PANASONIC**

This Document Relates to:

ALL ACTIONS

Pursuant to Civil Local Rule 7-1(b), Indirect Purchasers Plaintiffs' motion for preliminary approval of their settlements with the Panasonic defendants and NEC Corporation is suitable for disposition without oral argument, and the hearing set for January 21, 2016 is vacated. In light of plaintiffs' proposal to submit (1) revised proposed notice forms; (2) a notice dissemination plan, and; (3) a proposed schedule, within 30 days of a ruling on the pending class certification motion or a circuit court ruling on any Rule 23(f) petition, whichever is later, it is appropriate to defer formal ruling on preliminary approval at this juncture.

The parties may be assured, however, that no obstacles to preliminary approval have emerged upon review of the motion papers. The parties are cautioned that to the extent they intend the provisions of the settlement agreement to impose limitations, beyond those provided by law, on

1 the Court's ability to award fees to objectors, the Court will not deem itself bound by those terms of
2 the settlement agreement. Plaintiffs may renew their motion for preliminary approval by submitting
3 the further materials listed above, and by re-setting a hearing date on at least 14 days' notice.

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6 IT IS SO ORDERED.

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10 Dated: January 19, 2016

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12 RICHARD SEEBORG
13 UNITED STATES DISTRICT JUDGE
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